

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

HAKEEM CURRY

PETITIONER

V.

CAUSE NO. 3:19-CV-295-CWR-LGI

WARDEN CHERON NASH

RESPONDENT

ORDER

Before the Court are the Magistrate Judge's Report and Recommendation (R&R), Docket No. 15, petitioner Hakeem Curry's objection to that R&R, Docket No. 16, and the government's response, Docket No. 17.

Having reviewed Curry's objections, the Court concludes that they should be overruled and the R&R should be adopted as this Court's own order. The R&R demonstrates that Curry's arguments for habeas relief could have been, but were not, raised in his first § 2255 motion. *See* Docket No. 15 at 3. Accordingly, this Court lacks jurisdiction to proceed.

The petition will be dismissed without prejudice by a separate Final Judgment.

SO ORDERED, this the 25th day of May, 2022.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE